

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

CHERI RICHARDSON,

Plaintiff,

v.

ORDER

Civil File No. 16-3697 (MJD/HB)

ALCON LABORATORIES, INC.,

Defendant.

Eric D. Satre, Satre Law Firm, Counsel for Plaintiff.

Charles F. Knapp and Jonathan E. Simpson, Faegre Baker Daniels LLP, Counsel
for Defendant.

This matter is before the Court on Defendant Alcon Laboratories, Inc.'s Partial Motion to Dismiss. [Docket No. 5] After a careful review of the motion and the record in this case, the Court concludes that oral argument is unnecessary. Therefore, the Court cancels the oral argument set for February 2, 2017, grants permission to Plaintiff to file the Second Amended Complaint [Docket No. 12], and denies the motion to dismiss.

Accordingly, based upon the files, records, and proceedings herein, **IT IS
HEREBY ORDERED:**

Defendant Alcon Laboratories, Inc.'s Partial Motion to Dismiss
[Docket No. 5] is **DENIED**.

Dated: February 1, 2017

s/ Michael J. Davis

Michael J. Davis

United States District Court